

REMARKS

Claims 1, 17, 26, 52, 66 and 73 stand rejected under 35 USC 112, second paragraph, as being indefinite. This rejection is respectfully traversed.

The Examiner states that “the claims are indefinite because said targeted media object is targeted separately from other media objects but also presented simultaneously with said other media objects.” The Examiner misunderstands the claimed invention since as explained below, media objects can be targeted to different groups of users and can also be displayed together.

As explained in applicants’ last response page 6, line 16- page 7, line 3; page 16, lines 16-24; page 19, line 23-page 21 line 4; and Fig. 3, of the specification explains how one object in a program composition to be represented separately from another object in the composition. For example, as described in the specification, a program composition can include, for example, an automobile, a scenery or route upon which the automobile travels and an audio signal. Each of these objects can be targeted separately to a user allowing for a different combination of media objects to be played on different user systems without having to provide completely different program compositions for each type of user. For example, the background scenery can be targeted to the full broadcast audience or a regional audience and the automobile that drives on the route can be separately targeted to specific consumers known to be interested in that type of car. This allows a truck to be targeted to one user and a sports car to be targeted to another user, while both users are provide the same background scene.

Accordingly, a program composition can include multiple media objects presented together, such as the background scene and the car in the above example. In addition, since the background scene was targeted to all users and the car is targeted separately to only specific consumers known to be interested in that type of car, the two media objects can be targeted separately although they are displayed together as part of the same program composition.

Claims 1-34, 52-57, 61-78 and 195-200 stand rejected under 35 USC 103(a) as being unpatentable over Pico in view of Ebisawa. This rejection is respectfully traversed.

The Examiner admits that Pico fails to disclose the limitation “wherein the targeted media object is part of a program composition comprising multiple media objects presented simultaneously and the targeted media object is targeted separately from at least one other media object in the composition” as recited in the claims. The Examiner, however, has relied upon Ebisawa as disclosing this feature of the claim.

Ebisawa simply shows a video game in which advertisements are placed into the game while a user plays the game. Ebisawa fails to disclose targeting any media objects to specific users as claimed. In addition, as explained above, the Examiner has misread the above recited claim language. Under the correct interpretation of the claims, Ebisawa also fails to disclose multiple media objects that are targeted separately and displayed together as part of the same program composition.

Since neither Ebisawa nor Pico disclose “wherein the targeted media object is part of a program composition comprising multiple media objects presented simultaneously and the targeted media object is targeted separately from at least one other media object in the composition” as claimed, the rejection of claims 1-34, 52-57, 61-78 and 195-200 should be withdrawn.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing Attorney Docket No. 559442004400.

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Respectfully submitted,

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